

Nov 22, 2006

National Captioning Institute, Inc
Attn: United States Magistrate Judge

3:06-cv-00812-WKW

RECEIVED

2006 DEC -7 A 9:54

Dear, Delores R. Boyd

Order / Opinion

My name is Jamar Johnson. I am Deaf and use Universal Sign Language to communicate. I live 9th The Lane Phoenix City, AL 36869. Human rights Law my reason for sending you a letter is to file a complaint which is one here is Nation Captioning Institute and FCC, c/o Nancy J. Bloch, Chief Executive Officer. The National Captioning Institute is a non-profit organization that provides closed captioning for television and movies. Created in 1979 and headquartered in Vienna, Virginia, the organization was the first to caption live TV and home video. They have over 200 employees and offices in Dallas, Texas and Burbank, California. It has been suggested that the largest audience of closed captioning are now in fact hearing people in ESL communities. In the US, the National Captioning Institute noted that ESL learners were largest group buying decoders in the late 1980's and early 1990's (before built-in decoders became a standard feature of U.S. television sets for Closed Caption). Closed captioning (CC) allows deaf and hard of hearing/hearing-impaired people, people learning English as an additional language, people first learning how to read, people in noisy environment, the others to read a transcript or dialogue of the audio portion of a video, film, or other presentation. As the video plays, text captions are displayed that transcribe, all thought always verbatim, what is said and by whom and indicate other relevant sounds.

The term "closed" in closed captioning means that not all viewers see the captions. Only those who decode or activate them. This is distinguished from "open captions", where the captions are visible to all viewers. Open captions are sometimes referred to as "in-vision" in the UK. Captions that are permanently visible in a video, film, or other medium are called "burned-in" captions. The distinction between subtitles and closed captions is not always made in the United Kingdom, and Ireland, where the term "subtitles" is a general term.

Background

Closed captioning allows persons with hearing disabilities to have access to Teles programming by displaying the audio portion of a television program as text on the television receivers with screens 13 inches or larger sold or manufactured in the United States to contain built-in decoder circuitry to display closed captioning. Beginning July 1, 2002, the FCC also required that digital television (DTV) receivers include closed captioning display capability. In 1996, Congress required video program distributors (cable operators, broadcasters, satellite distributors, and other multi-channel video programming distributors) to close caption their television programs. In 1997, the FCC set a transition schedule requiring distributors to provide an increasing amount of captioned programming, as summarized below. Benefits of Closed Captioning provides a critical link to news, entertainment, and information for individuals who are deaf or hard of hearing. For individuals whose native language is not English, English language captions improve comprehension and fluency. Captions also help improve literacy skills. You can turn on closed captions through your remote control or on-screen menu. The FCC does regulate captioning of home videos, DVD's, or video games. The text below is an English translation of the ASL video message. Last week, the Federal Communications Commission (FCC) approved almost 300 requests for new TV programs to be shown without closed captions. We must protest these FCC decisions. We must tell the FCC to support closed captioning. What happen on September 12, the FCC announced publicly that two TV programs do not need to be closed captioned, forever. This is the first time the FCC approved no closed captions, *permanently*.

Worse, the FCC said that it is "inclined favorably" (more likely) to approve requests made by TV programs: when the TV program is produced by a non-profit organization; when the organization received nothing in exchange for their TV program or stopping their TV program or other important activities.

Why is important? We want the FCC's to stand strong and not weaken the closed captioning rules. We do not want the FCC to make a new category of TV programs that can be excused from the closed captioning rules. The closed captioning rules have been around for years. They are not new rules. FCC ID: AIN9X6NCI3000. They are not a surprise! Captioning is not too difficult or too expensive. It is time for TV industry and the FCC to wake up and realize WE are important. Take Action.

Enforcement Provisions of the ADA


Title III (Public accommodations in private sector) Department of Justice may bring suit-Private suits.
Permanent or temporary injunctions- Restraining orders and Preventive relief , Costs of litigation and Civil penalties: \$ 50,000 for 1st violation \$100,000 for subsequent violations.

Title 50>CHAPTER 3> 23

23. Jurisdiction of United States courts and judges

After any such proclamation has been made, the several courts of the United States, having criminal jurisdiction, and the several justices and judges of the courts of the United States, are authorized and it shall be their duty, upon complaint against ant humanity enemy resident and at large within such jurisdiction or district, to the danger of the public peace or safety, and contrary to the tenor or intent of such proclamation, or other regulations which the President may have established, to cause such alien to be duty apprehended and conveyed before such court, judge, or justice; and after a full examination and hearing on such complaint, and sufficient cause appearing, to order such alien to be removed out of the territory of the United States, or to give sureties for his good behavior, or to be otherwise restrained, conformably to the proclamation or regulations established as aforesaid, and to imprison, or otherwise secure such humanity, until the order which may be so made shall be performed.

11-22-06
Date


Jamar Johnson Ph.d
Communicative Diplomacy Service
International Law

Closed captioning

From Wikipedia, the free encyclopedia

(Redirected from Closed caption)

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A commonly-used symbol indicating that a program or movie is closed-captioned.

Closed captioning (CC) allows deaf and hard of hearing / hearing-impaired people, people learning a new language, people first learning how to read, people in a noisy environment, and others to read a transcript or dialogue of the audio portion of a video, film, or other presentation. As the video plays, text captions are displayed that transcribe, although not always verbatim, what is said and by whom and indicate other relevant sounds.

The term "closed" in closed captioning means that not all viewers see the captions—only those who decode or activate them. This is distinguished from "open captions," where the captions are visible to all viewers. Open captions are sometimes referred to as "in-vision" in the UK. Captions that are permanently visible in a video, film, or other medium are called "burned-in" captions.

In the US and Canada, "captions" are distinguished from "subtitles". In these countries, "subtitles" assume the viewer can hear but cannot understand the language, so they only translate dialogue and some onscreen text. "Captions" aim to describe all significant audio content, as well as "non-speech information," such as the identity of speakers and their manner of speaking; sometimes music or sound effects are also described using words or symbols within the closed caption. The distinction between subtitles and closed captions is not always made in the United Kingdom and Ireland, where the term "subtitles" is a general term.

It has been suggested that the largest audience of closed captioning are now in fact hearing people in 'English Second-language' (ESL) communities. In the US, the National Captioning Institute noted that ESL learners were the largest group buying decoders in the late 1980s and early 1990s (before built-in decoders became a standard feature of U.S. television sets). In the UK of the 7.5 million people who use TV subtitles (closed Captioning), six million have no hearing impairment at all.

Television and video

For *live* programs, spoken words comprising the television program's soundtrack are transcribed by an operator using stenotype or stenomask type of machines, whose phonetic output is instantly translated into text by a computer and displayed on the screen. This technique was developed in the 1970s as an initiative of the BBC's Ceefax teletext service.[1] In collaboration with the BBC, a university student took on the research project of writing the first phonetics-to-text conversion program for this purpose. [2] (PDF) Automatic computer speech recognition now works well when trained to recognise a single voice, and so since 2003 the BBC does live subtitling by having someone re-speak what is being broadcast.

In some cases the transcript is available beforehand and captions are simply displayed during the program after being edited. For programs that have a mix of pre-prepared and live content, such as news bulletins, a

combination of the above techniques is used.

For prerecorded programs and home videos, audio is transcribed and captions are prepared, positioned, and timed in advance.

For all types of NTSC programming, captions are "encoded" into Line 21 of the vertical blanking interval – a part of the TV picture that sits just above the visible portion and is usually unseen. For ATSC (digital television) programming, three streams are encoded in the video: two are backward compatible Line 21 captions, and the third is a set of up to 63 additional caption streams encoded in EIA-708 format.

Captioning is transmitted and stored differently in PAL and SECAM countries, where teletext is used rather than Line 21, but the methods of preparation are similar. Note that, for home videotapes, a variation of the Line 21 system is used in PAL countries. Teletext captions can't be stored on a standard VHS tape (due to limited bandwidth), although they are available on S-VHS tapes.

For older televisions, a set-top box or other decoder is usually required. In the U.S., since the passage of the Television Decoder Circuitry Act, manufacturers of most television receivers sold have been required to include closed captioning. High-definition TV sets, receivers, and tuner cards are also covered, though the technical specifications are different. Canada has no similar law, but receives the same sets as the U.S. in most cases.

There are three styles of Line 21 closed captioning:

- **Roll-up or scroll-up or scrolling:** The words appear from left to right, up to one line at a time; when a line is filled, the whole line scrolls up to make way for a new line, and the line on top is erased. The captions usually appear at the bottom of the screen, but can actually be placed anywhere to avoid covering graphics or action. This method is used for live events, where a sequential word-by-word captioning process is needed.
- **Pop-on or pop-up or block:** A caption appears anywhere on the screen as a whole, followed by another caption or no captions. This method is used for most pre-taped television and film programming.
- **Paint-on:** The caption, whether it be a single word or a line, appears on the screen letter-by-letter from left to right, but ends up as a stationary block like pop-on captions. Rarely used; most often seen in very first captions when little time is available to read the caption or in "overlay" captions added to an existing caption.

A single program may include scroll-up and pop-on captions (e.g., scroll-up for narration and pop-on for song lyrics). A musical note symbol is used to indicate song lyrics or background music. Generally, lyrics are preceded and followed by music notes, while song titles are bracketed like a sound effect. Standards vary from country to country and company to company.

For live programs, some soap operas, and other shows captioned using scroll-up, Line 21 caption text includes the symbols '>>' to indicate a new speaker (the name of the new speaker sometimes appears as well), and '>>>' in news reports to identify a new story. In some cases, '>>' means one person is talking and '>>>' means two or more people are talking. Capitals are frequently used because many older home caption decoder fonts had no descenders for the lowercase letters g, j, p, q, and y, though virtually all modern TVs have caption character sets with descenders. Text can be italicized, among a few other style choices. Captions can be presented in different colors as well. Coloration is rarely used in North America, but can sometimes be seen on music videos on MTV or VH-1, and in the captioning's production credits. More often, coloration is used in the United Kingdom and Australia for speaker differentiation.

There were many shortcomings in the original Line 21 specification from a typographic standpoint, since, for example, it lacked many of the characters required for captioning in languages other than English. Since that time, the core Line 21 character set has been expanded to include quite a few more characters, handling most requirements for languages common in North and South America such as French, Spanish, and Portuguese, though those extended characters are not required in all decoders and are thus unreliable in everyday use. The problem has been almost eliminated with the EIA-708 standard for digital television, which boasts a far more

comprehensive character set.

Captions are often edited to make them easier to read and to reduce the amount of text displayed onscreen. This editing can be very minor, with only a few occasional unimportant missed lines, to severe where virtually every line spoken by the actors is condensed. The measure used to guide this editing is words per minute, commonly varying from 180 to 300, depending on the type of program. Offensive words are also captioned, but if the program is censored for TV broadcast, the broadcaster might not have arranged for the captioning to be edited or censored also. A television set top box is available to parents who wish to censor offensive language of programs, the video signal is fed into the box and if it detects an offensive word in the captioning, the audio signal is bleeped or muted for that period of time.

There are some instances when the audio track of a TV program is altered – useless dialog is silenced, words are bleeped, a licensed song in a syndicated TV episode is removed, etc. – however, the captions of the removed dialog or lyrics remain. This can have serious consequences, as when a person's name is bleeped in the audio track for legal reasons but is included in the captions.

[edit] Caption channels

Line 21 captioning allows for four distinct "channels" of captioning information, known as CC1 through CC4. CC1 and CC2 are both in the first field of line 21, meaning that they share bandwidth. If there is a lot of data in CC1, there will be little room for CC2 data. Similarly CC3 and CC4 share the second field of line 21.

Since some early caption decoders supported only CC1 and CC2, captions in a second language were often placed in CC2. This led to bandwidth problems, however, and the current FCC recommendation is that bilingual programming should have the second caption language in CC3.

[edit] DVD

NTSC DVDs may carry closed captions in the Line 21 format which are automatically sent to the TV and turned on and off by the TV remote or the set-top decoder. Video DVDs may carry closed captions as a bitmap overlay (known as "subtitles") which can be turned on and off via the DVD player – as by selecting a subtitle track labeled either "English for the hearing impaired" or more recently, "SDH" (Subtitled for the Deaf and Hard of hearing). Both Line 21 and DVD bitmap subtitle formats can co-exist on the same DVD, providing two very different methods of displaying captions from the same DVD. On some DVDs, the captions may contain the same text, while on other DVDs, the Line 21 version contains more captions to cover non-speech information than the DVD bitmap subtitles. HD DVD and Blu-ray disc media cannot carry Line 21 closed captions, so SDH subtitles are used as the sole default method.

[edit] Movies

There are several competing technologies used to provide captioning for movies in theaters. Just as with television captioning, they fall into two broad categories: open and closed. The definition of "closed" captioning in this context is a bit different from television, as it refers to any technology that allows some of the viewers to use captions while others in the same theater at the same time do not see captions.

Open captioning in a theater can be accomplished through burned-in captions, projected bitmaps, or (rarely) a display located above or below the movie screen. Typically, this display is a large LED sign.

Probably the best-known closed captioning option for theaters is the Rear Window Captioning System from the National Center for Accessible Media. Upon entering the theater, viewers requiring captions are given a panel of flat translucent glass or plastic on a gooseneck stalk, which can be mounted in front of the viewer's seat. In the back of the theater is an LED display that shows the captions in mirror-image. The panel reflects the captions for the viewer, but is nearly invisible to surrounding patrons. The panel can be positioned so that the viewer watches the movie through the panel and captions appear either on or near the movie image. A

company called Cinematic Captioning Systems has a similar reflective system called Bounce Back.

Other closed captioning technologies for movies include hand-held displays similar to a PDA (Personal digital assistant); eyeglasses fitted with a prism over one lens; and projected bitmap captions. The PDA and eyeglass systems use a wireless transmitter to send the captions to the display device.

[edit] Video games

Closed captioning of video games is becoming more common. One of the first video games to feature true closed captioning was *Zork Grand Inquisitor* in 1997. Many games since then have at least offered subtitles for spoken dialog during cutscenes, and many include significant in-game dialog and sound effects in the captions as well; for example, with subtitles turned on in the *Metal Gear Solid* series of stealth games, not only are subtitles available during cutscenes, but any dialog spoken during real-time gameplay will be captioned as well, allowing players who can't hear the dialog to know what enemy guards are saying and when the main character has been detected. Also, in the video game *Half-Life 2*, when closed captions are activated, dialogue and nearly all sound effects either made by the player or from other sources (e.g. gunfire, explosions) will be captioned.

Video games don't offer Line 21 captioning, decoded and displayed by the television itself, but rather a built-in subtitle display, more akin to that of a DVD. The game systems themselves have no role in the captioning either: each game must have its subtitle display programmed individually.

Currently there is a big push from Reid Kimball, a game designer who is hearing impaired, to educate game developers about closed captioning for games. Reid started the Games[CC] group to close caption games and serve as a research and development team to aid the industry any way it can. Reid writes articles, designed the Dynamic Closed Captioning system and speaks at developer conferences. Games[CC]'s first closed captioning project called *Doom3[CC]* was nominated for an award as *Best Doom3 Mod of the Year* for IGDA's Choice Awards 2006 show.

[edit] Theatre

While opera houses have used captioning for their productions since 1983, live theatre captioning has only recently begun appearing. Display techniques vary, with subtitles, surtitles and individual displays being used.

[edit] Telephones

Closed captioning is now starting to be applied to telephones for the hard-of-hearing and deaf. See *Captioned telephone*.

[edit] Media monitoring services

In the United States especially, most media monitoring services capture and index closed captioning text from news and public affairs programs, allowing them to search the text for client references. The use of closed captioning for television news monitoring was pioneered in 1993 by Tulsa-based *NewsTrak* of Oklahoma (later known as *Broadcast News of Mid-America*, acquired by video news release pioneer *Medialink Worldwide* Incorporated in 1997). US patent 7,009,657 describes a "method and system for the automatic collection and conditioning of closed caption text originating from multiple geographic locations" as used by news monitoring services.